IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.152 OF 2001

MRS. CONCEICAO C. D'SOUZA ... Petitioner.

Versus

STATE OF GOA
THROUGH THE SECRETARY FINANCE,
SECRETARIST, PANAJI & ORS. ... Respondents.

Mr. J.E. Coelho Pereira, Sr.Advocate for the petitioner.

Ms. Rakhi Chodankar, Advocate for the respondents no.1 and 2.

Mr. S.D. Lotlikar, Sr. Advocate for the respondent no.3.

Coram:- DR. S. RADHAKRISHNAN, J.

Date:- 27th September, 2006.

P.C.

Heard learned Counsel for the petitioner and learned Counsel for respondent no.3 and learned Counsel for respondents no.1 and 2. Perused the order dated 4.5.2001 wherein para 2 reads as under:-

> "2. In case there is a dispute regarding the tenancy status of the petitioner vis-a-vis the subject business premises, which are purportedly owned by the respondent no.3, unless competent forum/Court has passed an Order of eviction or granted an injunction against the petitioner restraining her from the use of such premises, the power for cancellation of the transfer of licence as invoked under Section 16 of the Goa, Daman and Diu

Excise Duty Act, 1964 would not operate. Hence interim relief in terms of prayer clause (e)."

It appears as of now, the Excise Licence for retail sale of liquor has been obtained by the petitioner in her own name. In view thereof, the present petition has become infructuous, however the order dated 4.5.2001 will continue until further orders that may be passed by a competent Court. Writ Petition stands disposed.

DR. S. RADHAKRISHNAN, J.

ef.